



TOWN OF PARADISE

5555 SKYWAY • PARADISE, CALIFORNIA 95969-4931

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www.townofparadise.com

Planning Commission Staff:

Craig Baker, Community Development Director
Susan Hartman, Assistant Planner

Planning Commission Members:

Greg Bolin, Chair
Jody Jones, Vice Chair
James Clarkson, Commissioner
April Grossberger, Commissioner
Michael Zuccolillo, Commissioner

PLANNING COMMISSION AGENDA

6:00 PM – October 16, 2012

In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact Community Development Director Baker, at 872-6291 at least 48 hours in advance of the meeting. Hearing assistance devices for the hearing impaired are available from the Presiding Clerk.

Members of the public may address the Planning Commission on any agenda item, including closed session. If you wish to address the Planning Commission on any matter on the Agenda, it is requested that you complete a "Request to Address Council/Commission" card and give it to the Presiding Clerk prior to the beginning of the Council Meeting.

All writings or documents which are related to any item on an open session agenda and which are distributed to a majority of the Planning Commission within 72 hours of a Regular Meeting will be available for public inspection at the Town Hall in the Town Clerk or Community Development Services Department located at 5555 Skyway, Room 3, at the time the subject writing or document is distributed to a majority of the subject body. Regular business hours are Monday through Thursday from 8:00 a.m. to 5:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

ROLL CALL

1. APPROVAL OF MINUTES

1a. Regular meeting of September 18, 2012

2. COMMUNICATION

3. PUBLIC COMMUNICATION

Comments are limited to a maximum of five minutes duration. If more time is needed, please request staff to place the subject on an agenda for a future Commission meeting.

*** PUBLIC HEARING PROCEDURE ***

- | | |
|-----------------------------------|--------------------------------|
| A. Staff comments | C. Close hearing to the public |
| B. Open the hearing to the public | D. Commission discussion |
| 1. Project applicant | E. Motion |
| 2. Parties for the project | F. Vote |
| 3. Parties against the project | |
| 4. Rebuttals | |

NOTE: Pursuant to Planning Commission Resolution No. 96-001, any person may speak before the Commission regarding the matter under consideration for a **maximum of five minutes** unless granted additional time by the Chair. "In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact the Community Development Dept., at 872-6291 at least 48 hours in advance of the meeting."

4. CONTINUED PUBLIC HEARING - None

5. PUBLIC HEARING

- 5a. COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP) TREE FELLING PERMIT APPLICATION (PL12-00272): Request for town approval of a tree felling permit proposing the felling of up to seven (7) qualifying trees upon a +2.52 acre property zoned Community Services/Planned Development (CS/PD) located at the west end of Village Parkway (AP No. 054-380-001) due to declining health, potentially hazardous conditions and to facilitate construction of a multiple-family residential project (Phase 1 CHIP Housing project) previously approved by the Town of Paradise.

6. OTHER BUSINESS

7. COMMITTEE ACTIVITIES

8. COMMISSION MEMBERS

9. ADJOURNMENT

STATE OF CALIFORNIA) COUNTY OF BUTTE)	SS.
I declare under penalty of perjury that I am employed by the Town of Paradise in the Town Clerk's Department and that I posted this Agenda on the bulletin Board both inside and outside of Town Hall on the following date: _____	
TOWN/ASSISTANT TOWN CLERK SIGNATURE	

PARADISE PLANNING COMMISSION
September 18, 2012 - 6:00 p.m.
Paradise Town Council Chambers
5555 Skyway, Paradise, CA

M I N U T E S

CALL TO ORDER

The meeting was called to order by Chair Bolin at 6:01 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

ROLL CALL

Present at roll call were Commissioners Clarkson, Jones and Chair Bolin. Commissioner Grossberger and Zuccolillo were not present. Community Development Director Craig Baker and Assistant Planner Susan Hartman were also present.

1. APPROVAL OF MINUTES

a. Regular Meeting of July 17, 2012.

It was moved by Commissioner Clarkson, seconded by Commissioner Jones to approve the minutes of the July 17, 2012 Planning Commission meeting as submitted by staff.

VOTE: AYES: Commissioners Bolin, Jones, and Chair.

NOES: None. **ABSTAIN:** None. **ABSENT:** Grossberger and Zuccolillo

MOTION CARRIES.

2. COMMUNICATION

a. Recent Council Actions

Mr. Baker reported on Town Council actions of the August 7, 2012 where Town Council introduced Ordinance No. 525 that, if adopted, will result in changes to Town parking regulations as recommended by the Planning Commission, adopted Resolution No. 12-29, amending the 1994 General Plan Land Use Map for Grand Sierra Lodge and introduced Ordinance 526, to rezone real property from RR-2/3 to CS. Ordinance 525 and 526 were, subsequently adopted at the September 11, 2012 Town Council Meeting.

b. Staff Comments

None.

3. PUBLIC COMMUNICATION

1. Adrian Walker, lives on Moore Road and stated that people don't like to park near the baseball fields due to fly balls and suggested a net be put in place to prevent balls from hitting automobiles.

Mr. Baker stated that the Paradise Recreation and Park District (PRPD) owns the ball park and suggested that the matter be discussed with Mike Trinca, the District Manager.

4. CONTINUED PUBLIC HEARING – None.

5. PUBLIC HEARING –

5a. PARADISE RECREATION AND PARK DISTRICT: Site plan review permit (PL12-00257) and tree felling permit (PL12-00252) applications proposing to fell up to 25 qualifying trees to expand the outfield area for one of two existing public baseball fields and to replace existing light standards for both baseball fields with fewer, taller light standards to improve energy efficiency and reduce off-site light spillage and glare upon a +19.72 acre land area zoned Community Facilities (CF) located at 6705 Moore Road, AP No. 050-070-041.

Craig Baker, Community Development Director, explained that this request is for site plan review and tree felling permit application which would expand the northerly ball field and improve lighting for both fields. 25 trees would be removed in order to expand the field and replace 16 existing light standards to 12 newer light standards that would be taller and more energy efficient. The current lighting is over 40 years old and in need of major repairs. Mr. Baker stated that the agenda packet has detailed information relating to the request.

Mr. Baker further indicated that an arborist's report was submitted confirming the necessity to remove the trees to accommodate the ball field expansion and that the required tree replacement will be achieved through a combination of identifying saplings to be protected for up to 50% of qualifying trees felled and planting appropriate replacement trees only for the balance of the tree replacement requirement.

Mr. Baker stated that the site plan review application is required because the ball fields are located within the Community Facilities (CF) zoning district. The CF zoning regulations allow for lights to be 50' high, however the Paradise Municipal Code (PMC) Section 17.45.400 (Site plan review) provides for the taller lights, with no specific height limitation. The District submitted a complete site plan review application to establish the proposed light poles and fixtures that are up to seventy feet tall. Both applications appear to be complete.

The PRPD Board of Directors has determined that both activities are categorically exempt from the requirements of the California Environmental Quality Act, pursuant to Sections 16302 and 15304 of the State CEQA Guidelines.

Staff is recommending approval of the project with 17 recommended conditions of approval.

Chair Bolin asked if the applicant wanted to address the Commission.

Project Applicant, PRPD Manager Trinca, stated that the ball parks are old facilities in need of renovation. That 40 years ago the light standards were moved out of the field and 15 years ago some poles were replaced. Mr. Trinca stated that the ideal setting would be to have a lighted

ballpark with less glare and that the existing lights, which currently provide three times less light than what today's standard call for, be brought up to meet the current standards.

Mr. Trinca stated that the small field is currently 245' and the expansion would increase it to 270' which would allow the field more flexible usage for flag football and potentially soccer, which has used the field in the past.

Commissioner Jones asked about the lighting diagram, what the numbers on it mean and also what the current light spillage is and what the new and improved light spillage will be.

Jeff Johanson, from Charles Martin and Associates, Electrical Engineer, explained that the diagrams are of the horizontal and vertical foot candles. He stated that the current poles are pointed up to fill a large space, where the new poles are higher and will be pointed more directly down at the field, limiting the "spillage" of light onto other properties.

Mr. Baker explained that the vertical foot candle is the measure of illumination from the source of light that is one candle power measured one foot away from the source on a vertical surface.

Jasen Deniz from Musco Lighting explained that a horizontal foot candle is measured at 36 inches above grade and the vertical foot candle is pointing light at the brightest bank so that there is a vertical reading. Mr. Deniz explained the Illumination Engineering Society (IES) comes up with light standards used by different organization. The current light standards are 50 foot candles on the infield and 30 foot candles in the outfield, for safety. Mr. Deniz explained that the current light levels on the north field are an average of 13 foot candles in the infield and five in the outfield and the south field is an average of 12 foot candles in the infield and 9 foot candles in the outfield. The current spill light levels were not measured at the site.

Commissioner Jones asked about the current lighting and if the new lighting will be less bright and less offensive to the neighbors.

Mr. Deniz explained that there is a difference between light and glare and that there is probably not a current measure of light, but is probably a glare. The new lighting on the field will be noticeable, but there will be 7 inch visors on the fixtures that will be aimed down toward the field to reduce the glare and spill for the neighbors.

Chair Bolin stated the necessity of balance with lighting in the parking lot and being sensitive to the neighbors.

Chair Bolin opened the public hearing at 6:27 p.m.

Speaking in favor of the proposed project:

1. Steve Rodowick, PRPD Board Member, visited the site and stated that flat playable surfaces in the area will benefit football, soccer and the community; and, that the trees that are being removed will not affect the beautiful backdrop of the field.; that the new lighting will be directed toward the field and there should be very little spillage with the new lighting.
2. Gloria Rodgers, PRPD Board Member, agrees with Mr. Rodowick that the removal of the trees will not affect the scenery or feel of the field, that the lighting is a safety issue and that the current poles have served their purpose and the new lights will be shining down on the field eliminating the current glare and making it more safe.

3. Adrian Walker, resident, stated that as long as the light spillage is not worse, then she is okay with the new lights and is trusting the opinion of the experts.
4. Jason Deniz, stated that if the neighbors are not satisfied, Musco Lighting will come back and re-adjust the lighting. 7" visors will be used on the lights, but if necessary, they will come back and use 14" visors to better accommodate the neighbors.

Mr. Baker stated that condition of approval number 3 addresses the light fixtures and required shielding materials.

Chairman Bolin closed the public hearing at 6:34 p.m.

Commissioner Clarkson asked if there was going to be a greater amount of activities on the fields, that he is concerned that the road is already narrow and if there are more cars, it could be a safety issue with increased traffic and that access may not be sufficient.

Mr. Trinca stated that there is already a flag football team that uses the field and that soccer previously used the field and they may again.

Mr. Baker stated that there is not a significant increase in traffic anticipated and that a recommended condition of approval would require any road damage from construction to be repaired, but that there is no recommendation for the road to be widened. Moore Road is a private road and there is no road maintenance agreement in place.

Jim Murphy, PRPD, stated that the District does not anticipate more traffic or cars, there may be more programs at separate times and if soccer were to come back that they are only there during soccer season and that there is not a lot of playing fields that would increase the number of cars or traffic.

Mr. Trinca stated there may be more usage to the fields, but less attendance at that site, the high traffic flow happens now with softball and little league, but that in 40 years there has never been an accident on Moore Road, that the narrowness of the road actually controls traffic speed and that the master plan is to eventually improve the road, but funding is an issue and all the neighbors and Forest Service would have to be approached and agree to it.

Commissioner Clarkson stated that he still has concerns with traffic flow and the size of the road, that the lighting will address the safety aspect and asked Planning Director Baker his opinion about the narrow road and emergency response vehicles.

Mr. Baker stated that the road is a narrow, privately owned road with a well known facility on it, that there is also a state fire station on the road, that the lack of traffic accidents speaks for itself that the master plan acknowledges the need for improvements and that the neighbors may have to approve any improvements and that the neighbors may well like the road the way it is.

Commissioners Clarkson and Jones both stated that the benefits of the improvements outweigh the concerns of the road condition.

Mr. Baker asked Mr. Trinca if he concurred with the staff recommendations and Mr. Trinca indicated that he did.

ITEM 5a: The MOTION was made by Clarkson, seconded by Jones to adopt the findings provided by staff and approve the Paradise Recreation and Park District site plan review and tree felling permit applications (PL12-00252, PL12-00257) authorizing the replacement of existing light poles and fixtures and the felling of up to 25 qualifying trees in order to enhance and improve existing public baseball fields on property located at 6705 Moore Road (APN 050-070-041), subject to the below.

COMMISSION VOTE: AYES of Commissioners Clarkson, Jones and Chair Bolin. NOES: None. ABSENT: Grossberger and Zuccolillo. ABSTAIN: None.

FINDINGS REQUIRED FOR APPROVAL:

1. Concur with staff's determination that the proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15302 and 15304 of the State CEQA Guidelines.
2. Find that the project, **as conditioned**, is consistent with the goals and policies of the Paradise General Plan because the project will result in the enhancement of a important existing recreational facility on property zoned for such use.
3. Find that the project, **as conditioned**, is in compliance with all applicable Town of Paradise zoning regulations.
4. Find that adequate infrastructure is currently in place to serve the proposed project.
5. Find that the project, as conditioned, will not detrimentally effect existing plant and animal life in the project vicinity for the following reasons:
 - a. The project is located within an area that has been altered from its natural state by long-established suburban land uses;
 - b. No known outstanding wildlife habitat exists in the immediate project vicinity; and
 - c. No known rare or endangered plants are known to exist in the immediate project vicinity.

GENERAL CONDITIONS

1. If any land use for which a site plan review permit has been granted and issued is not established within three years of the use permit's effective date, the permit may become subject to revocation by the Town of Paradise.
2. Unless otherwise noted, it shall be the sole responsibility of the project developer to implement, monitor and fulfill the requirements of all conditions assigned to the site plan review and tree felling permits.
3. Light fixtures associated with the project shall be designed in a manner that is consistent with project application materials and 7 be shielded to prevent the direct projection of

light onto adjoining and nearby properties and in substantial conformance with project application materials.

4. If any archaeological resources are uncovered during project construction activities, all work shall stop in the area of the find until a qualified archaeologist provides an appropriate evaluation of the discovery.
5. Minor changes to the interior and/or exterior design of the project may be approved administratively by the Town Planning Director upon submittal of a written request for such changes, if the requested changes are consistent with the overall intent of the project and its approval action. Any requested changes deemed by the Planning Director to be major or significant shall require a formal permit modification review and the payment of the appropriate processing fees.
6. Any damage to the improved surface of private roads used to access the site as a direct result of project construction activities shall be promptly repaired to pre-project conditions at the sole expense of the project developer.
7. Contact Underground Service Alert (USA) at least three days prior to conducting any soil excavation activities to ascertain the location of any existing utility lines.

CONDITIONS TO BE MET PRIOR TO THE ISSUANCE OF A BUILDING PERMIT

8. Submit and secure Town Building Official approval of all required construction design plans for the project in accordance with all Town-adopted construction code requirements and the project memorandum generated for the project by the Town Building Official, dated September 10, 2012 and on file in the Town Development Services Department.
9. Apply for and secure Town design review approval for the project. Pursuant to Town Council resolution, there shall be no fee collected by the Town for this review process.
10. If more than fifty (50) cubic yards of soil is displaced in association with the project, apply for and secure Town issuance of a grading permit satisfying all Town Public Works Department requirements. Pay applicable grading permit fees per current fee schedule.
11. Submit a detailed dust emissions control plan to the Town Public Works Department for approval **PRIOR** to the start of any earthwork.

CONDITIONS TO BE MET PRIOR TO ISSUANCE OF TREE FELLING PERMIT

12. Secure the issuance of any Town required construction and grading permits.
13. Submit and secure Town Planning Director review and approval of a professionally produced "Tree Protection Plan" for the proposed project that provides for existing tree protection measures (fencing, etc.); prior to the commencement of ground disturbance site work (grading, etc.) for the project. Pay applicable plan review fee per current fee schedule.

CONDITIONS OF TREE FELLING

14. All qualifying trees proposed to be retained and any native saplings proposed to be retained on the site as replacement trees shall be protected during construction activities in a manner consistent with the Town of Paradise Suggested Practices for Protection of Trees on Commercial, Quasi-Public and Multi-Family Residential Construction Sites.
15. A certified arborist shall be engaged by the applicant to oversee the employment of tree protection measures during all related project site improvements construction that has the potential to effect trees to be retained.
16. Tree replacement for the project shall be performed in accordance with the requirements of Paradise Municipal Code Section 8.12.120.
17. The approval action of this tree felling permit application shall only be valid and in effect for three years (36 months) past its conditional approval date.

Community Development Director Baker announced that the Planning Commission decision on the Site Plan Review permit is subject to a seven-day appeal period; and, the Tree Felling Permit Application is subject to a ten-day appeal period. The Town Council serves as the appeals board and the required appeal and fee are filed with the Town Clerk.

6. OTHER BUSINESS - None

7. COMMITTEE ACTIVITIES - None

8. COMMISSION MEMBERS

a. Identification of future agenda items (All Commissioners/Staff)

Mr. Baker stated that in October he may bring a tree felling permit from Paradise Community Village-CHIP to the Planning Commission for consideration and that there will be a Planning Director meeting on September 25 to consider a use permit application.

9. ADJOURNMENT

The Planning Commission meeting was adjourned at 6:50 p.m.

Date Approved:

Greg Bolin, Chair

Attest:

Dina Volenski, Assistant Town Clerk

MEMORANDUM

TO: Planning Commission

FROM: Craig Baker, Community Development Director

SUBJECT: Community Housing Improvement Program Tree Felling Permit Application (PL12-00272); APN 054-380-001

DATE: October 9, 2012

SPECIAL INFORMATION:

The permit applicant, Community Housing Improvement Program (CHIP), is requesting approval from the Town of Paradise to fell seven (7) qualifying trees on a ± 2.52 acre property located at the west end of Village Parkway. The trees are proposed to be felled due to declining health, potentially hazardous conditions and to facilitate construction of a multiple-family residential project (Phase 1 CHIP housing project) previously approved by the Town of Paradise and currently under construction.

Primary road access to the project site is via Village Parkway, a paved private road. When completed, the project will consist of 36 rental housing units in what is identified as Phase 1 of three phases of work-force housing that is planned for the larger Paradise Community Village project approved by the Planning Commission in 2009. The Planning Commission's approval actions also included authorization to fell 81 qualifying trees from the CHIP housing project site to accommodate the project. All of those trees have been felled and removed from the property as well as three additional qualifying trees, the felling of which was approved administratively by Town staff (pursuant to PMC sec. 8.12.040) to accommodate unforeseen circumstances related to project development.

ANALYSIS

The 7 trees proposed for felling are the only qualifying trees remaining on the project site. All 7 are foothill pine trees. The trees range in size from 19 to 23 inches in diameter at breast height (DBH). Original project design plans accommodated the retention of the trees, but they now appear to be in declining health and will more easily be felled and removed prior to the installation of all proposed and required site improvements associated with the project. Several are located within a playground area where falling limbs and pine cones could pose a hazard to children.

When submitted to the Town of Paradise on October 1, 2012, the CHIP tree felling permit application was accompanied by a written analysis of the trees from botanist and certified tree

arborist Elena Gregg that these remaining trees were visibly stressed and exhibiting needle dieback. Ms. Gregg also indicates in her analysis that several of the trees are damaged, may be structurally unsound, will be adversely affected by continuing construction activities and are potentially hazardous. As a result of her observations, Ms. Gregg concludes that all 7 trees should be felled and ultimately replaced with more suitable trees in accordance with Town tree replacement requirements. Ms. Gregg's report and other accompanying materials are attached to this memorandum for your review.

Zoning Regulations

The project site is designated by the Paradise General Plan and zoned Community Services/Planned Development (CS/PD), allowing multiple-family land uses subject to Town approval of a site plan review permit, which the Planning Commission granted in 2009 for the CHIP housing project. Current zoning regulations assigned to the site prohibit the establishment of a "commercial timber harvesting" land use as a primary land use. Commercial timber harvesting is generally defined within the Paradise Municipal Code (PMC) as the harvesting of twelve or more qualifying trees for commercial purposes from a single property within a twelve-month period. Although the applicant has felled over 80 trees on the site and is proposing the felling of 7 more within a twelve-month period, the trees are proposed for felling primarily to accommodate development of the property and not solely for commercial timber harvesting. Thus, the proposed tree felling activity appears to be in compliance with current town zoning regulations.

Environmental Review

The Town's environmental review for the Paradise Community Village project included the development, circulation and certification of an Environmental Impact Report pursuant to the requirements of the California Environmental Quality Act (CEQA). The effects of tree felling associated with the project was thoroughly evaluated within the document and was the subject of assigned mitigation measures that have been implemented and fulfilled during the course of project development.

Tree Felling Regulations

Pursuant to Paradise Municipal Code (PMC) Section 8.12.090, any new development project involving the felling of five (5) or more qualifying trees associated with a planning or land use entitlement (e.g., site plan review permit) may be reviewed and acted upon by the Planning Director. However, since the Planning Commission was the original hearing body to consider and ultimately approve the various entitlements associated with the Paradise

Community Village project, it is more appropriate for the Planning Commission to also consider subsequent tree felling permit applications associated with the project. Therefore, the CHIP tree felling permit application was duly noticed and scheduled for Planning Commission consideration.

Pursuant to the requirements of PMC Section 8.12.040, the CHIP tree felling permit application was submitted with detailed material evidence provided by an arborist, certifying that all 7 qualifying trees must be felled. No specific request for relief or partial relief from tree restocking/replacement has been submitted by the project applicant or the project arborist for Planning Commission consideration. The Planning Commission may approve the issuance of a tree felling permit as proposed if it finds that all trees proposed for felling must be felled for the reasons outlined within the arborist's report.

ANALYSIS CONCLUSION

Based upon the preceding observations and analysis, it appears that the CHIP tree felling permit application is complete, consistent with applicable Town zoning regulations and eligible to be approved by the Planning Commission, pursuant to the requirements of Chapter 8.12 and Title 17 of the Paradise Municipal Code. Accordingly, staff has prepared potential findings to support approval of the tree felling permit application and a recommended tree felling permit condition of approval.

Planning Commissioners are encouraged to visit the project site and contact Town staff with any questions prior to the scheduled public hearing for the CHIP tree felling application.

FINDINGS FOR APPROVAL

- A. The CHIP tree felling permit application meets the criteria for conditional tree felling permit approval as outlined within PMC Section 8.12.090 because the proposed tree felling activity is necessary to accommodate the establishment of a multiple-family land use that is planned to accommodate such a use.
- B. The proposed tree felling activity, as conditioned, is consistent with applicable Town zoning regulations regarding commercial timber harvesting.

REQUESTED ACTION

- 1. Open the public hearing and solicit input from the attending public;
- 2. Close the public hearing and move to:

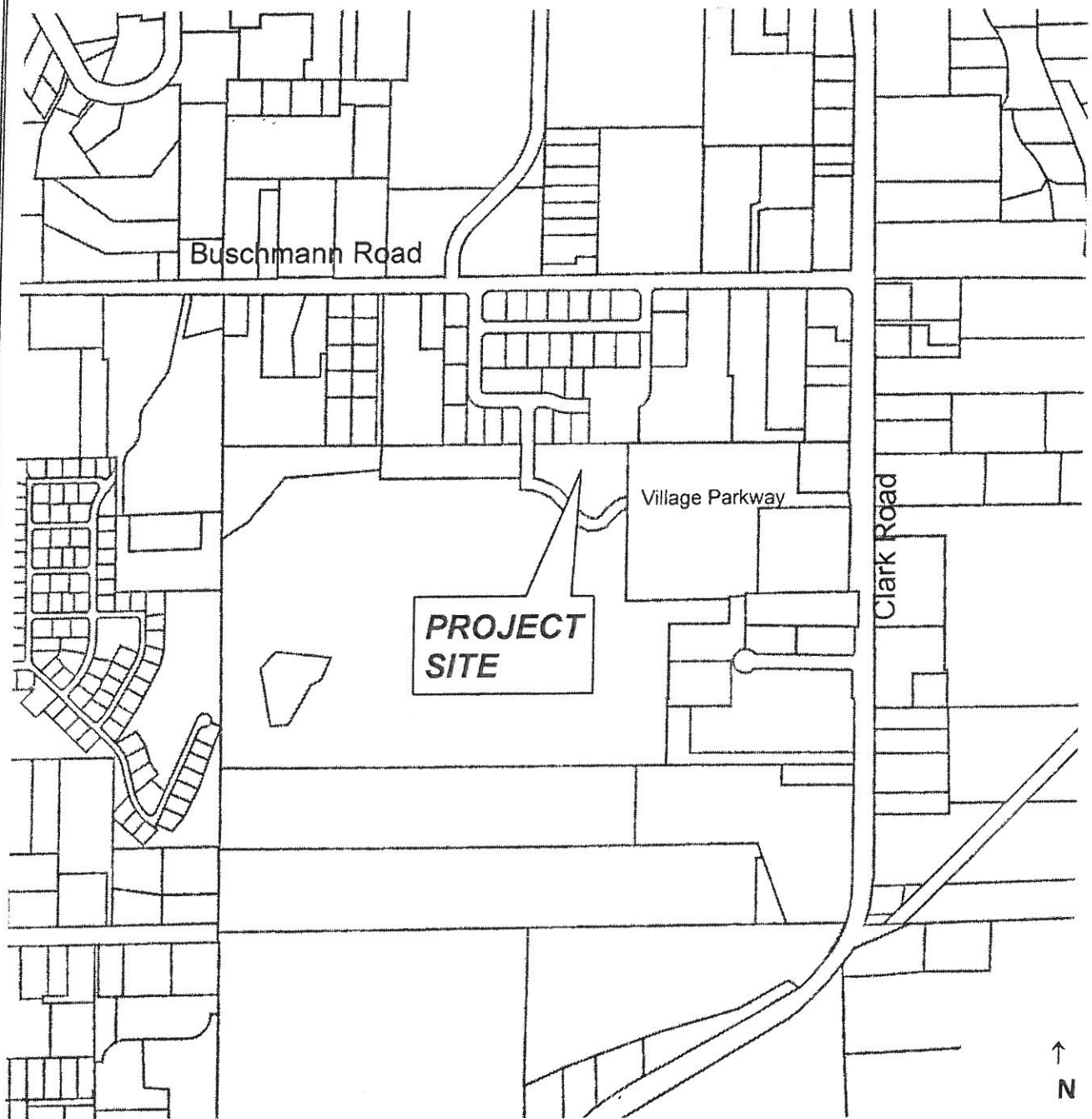
- a. Adopt the findings for approval as provided by staff and approve the CHIP tree felling permit application (PL12-00272), authorizing the felling of up to seven (7) qualifying foothill pine trees on property located at the west end of Village Parkway, APN 054-380-001, subject to the following condition:

CONDITION OF APPROVAL

1. Required landscaping for the proposed Phase 1 CHIP housing project shall be designed to accommodate replacement trees. Replacement tree species shall be selected for their ability to compensate for the loss of large native trees on the site and for their compliance with Paradise Municipal Code Section 8.12.120 (*Tree replacement*).

LIST OF ATTACHMENTS FOR THE CHIP TREE FELLING PERMIT APPLICATION

1. Vicinity map of the project site area.
2. List of property owners notified of the public hearing.
3. Copy of the notice of public hearing for the CHIP tree felling permit application.
4. Tree felling permit application (PL12-00272) submitted on October 1, 2012 for the proposed tree felling activity.
5. Written certification dated September 28, 2012, provided by botanist and Certified Arborist #WE-8033A Elena Gregg that the 7 trees proposed for felling must be felled due to declining health, potentially hazardous conditions and to accommodate construction activities.
6. Plot plan and color photographs submitted with the tree felling permit application showing the proposed CHIP project and associated improvements relative to trees proposed for felling.



APPLICANT: Community Housing Improvement Project (CHIP)

LOCATION: West end of Village Parkway

OWNER: Paradise Community Village, LLP

REQUEST: Application for town approval of a tree felling permit proposing the felling of up to seven (7) qualifying trees upon a ± 2.52 acre property zoned Community Services/Planned Development (CS/PD) due to declining health, potentially hazardous conditions and to facilitate construction of a multiple-family residential project (Phase 1 CHIP Housing project) previously approved by the Town of Paradise.

Zoning: CS/PD

GENERAL PLAN: CS

FILE NO. PL12-00272

ASSESSOR PAREL NUMBER: 054-380-001

MEETING DATE: 10-16-12

054-090-060-000

FOOTHILL INCOME PROPERTIES LTD
PTNRSHIP
PO BOX 1837
PARADISE, CA 95967

054-100-017-000

CARROLL LEO G REVOCABLE TRUST
90 GRINDING ROCK RD
PARADISE, CA 95969

054-100-018-000

PALMER FAMILY TRUST
5518 PALOMA AVE
PARADISE, CA 95969

054-100-016-000

HENDRIX RANDALL & CORRIE LEE
1087 APPLE VIEW WAY
PARADISE, CA 95969

054-100-019-000

CHRISTENSEN PATRICK & PAYGE
5719 CHEROKEE DR
PARADISE, CA 95969

054-090-071-000

PARADISE RIDGE YOUTH SOCCER
CLUB
PO BOX 744
PARADISE, CA 95967

054-090-047-000

UTLEY MICHAEL L
5496 DUDLEY LN
PARADISE, CA 95969

054-100-026-000

COLE ROGER W REVOCABLE LIVING
TRUST ETAL
PO BOX 68
FOREST RANCH, CA 95942

054-090-022-000

ALVIES DANIEL W & JUDY L
660 ROE RD
PARADISE, CA 95969

054-100-022-000

WRIGHT CHARLES E & LAVONNE J
FAM TR
6710 BELLEVIEW DR
PARADISE, CA 95969

054-100-025-000

OWEN DEREK ETAL
PO BOX 68
FOREST RANCH, CA 95942

054-100-024-000

COLE ROGER W REVOCABLE LIVING
TRUST ETAL
PO BOX 68
FOREST RANCH, CA 95942

054-100-020-000

PREGLER FAMILY TRUST
438 ROE RD
PARADISE, CA 95969

054-100-021-000

BRADY LEE ANN ETAL
2379 JOSEPHS CT
PARADISE, CA 95969

054-380-002-000

PARADISE YOUTH & FAMILY
CENTER CORPORATION
1001 WILLOW ST
CHICO, CA 95928

054-380-001-000

PARADISE COMMUNITY VILLAGE I
LP - Kris Zappettini
1001 WILLOW ST
CHICO, CA 95928

NorthStar Environmental
111 Mission Ranch, Ste. 100
Chico, CA 95926

Paradise Unified School District
6696 Clark Road
Paradise, CA 95969

Paradise Irrigation District
6332 Clark Road
Paradise, CA 95969

Paradise Recreation & Park Dist.
6626 Skyway
Paradise, CA 95969

Paradise Ridge Chamber of
Commerce
5550 Skyway
Paradise, CA 95969

Paradise Board of Realtors
6178 Center Street
Paradise, CA 95969

Paradise Downtown Business
Association
c/o Fir Street Gallery/Pam Funk
6256 Skyway
Paradise, CA 95969

Butte County Planning
Courier

Paradise Cemetery District
980 Elliott Road
Paradise, CA 95969

Butte Co. Air Quality Mgmt. Dist.
629 Entler Ave., Suite 15
Chico, CA 95928

Butte Environmental Council
116 W. 2nd Street #3
Chico, CA 95928

Pacific Gas & Electric
Laird Oelrichs, Land Agent
350 Salem St.
Chico, CA 95928

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**NOTICE OF PUBLIC HEARING
PARADISE PLANNING COMMISSION**

NOTICE IS HEREBY GIVEN by the Town of Paradise Planning Commission that a public hearing will be held at a regular Planning Commission meeting on Tuesday, October 16, 2012 at 6:00 p.m. in the Paradise Town Hall Council Chambers, 5555 Skyway, Paradise, CA, regarding the following project:

- a. Item determined to be exempt from environmental review:

COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP) TREE FELLING PERMIT APPLICATION (PL12-00272): Request for town approval of a tree felling permit proposing the felling of up to seven (7) qualifying trees upon a ±2.52 acre property zoned Community Services/Planned Development (CS/PD) located at the west end of Village Parkway (AP No. 054-380-001) due to declining health, potentially hazardous conditions and to facilitate construction of a multiple-family residential project (Phase 1 CHIP Housing project) previously approved by the Town of Paradise.

The project file is available for public inspection at the Development Services Department, Paradise Town Hall, 5555 Skyway, Paradise, CA 95969. If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Town of Paradise Planning Director at, or prior to, the public hearing. For further information please contact the Development Services Department at (530) 872-6993 or (530) 872-5922.

CRAIG BAKER, Planning Director

TOWN OF PARADISE COMMUNITY DEVELOPMENT DEPARTMENT
5555 SKYWAY, PARADISE - (530)872-6291
TREE FELLING APPLICATION/PERMIT

AP NO. 054-380-001	PERMIT NO.	DATE: 9/28/12
PROPERTY ADDRESS: 1001 Village Parkway, Paradise CA		
PROJECT DESCRIPTION (attach additional sheet(s) if necessary) NUMBER OF TREES: 7 TYPE OF TREES: Foothill Pine <input checked="" type="checkbox"/> DIAMETER OR <input type="checkbox"/> CIRCUMFERENCE OF TREES (at 54" above grade): 19, 23, 15, 19, 13, 12 & 12 in.		
DATE FELLING SHALL START: ASAP		
CONSTRUCTION PERMIT NO(S): _____ DATE ISSUED _____		
PURPOSE OF REMOVAL: rendered hazardous or likely not to survive extreme pruning		
TREE FELLING PERMIT HISTORY FOR PROPERTY: tree felling permit for PCV APT.		
OWNER INFORMATION: NAME: Paradise Community Village I, L.P. TELEPHONE NUMBER: 530.891.6431, ext. 243 ADDRESS: STREET NUMBER/NAME: 1001 Willow Street CITY/STATE/ZIP: Chico CA 95928		
CONTRACTOR INFORMATION: NAME: Sunseri Construction TELEPHONE NUMBER: 530.891.6444 ADDRESS: STREET NUMBER/NAME: 48 Comanche Cr. CITY/STATE/ZIP: Chico CA 95928		
PERMIT FEE \$	TREE REPLACEMENT FEE \$	RECEIPT NO.

PLOT PLAN (Show Streets, Structures and Tree(s) in space provided below.)

If this permit application is for five (5) or more qualifying trees, submit a separate plot map drawn to scale.

See attached map & Arbonist assessment letter

RECEIVED

OCT - 1 2012

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.

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(SEE BACK PAGE FOR ADDITIONAL INFORMATION)

CONTRACTOR LICENSE LAW: I declare under penalty of perjury (check one):

- ☐ I am licensed under provisions of the Business and Professions Code and my license is in full force and effect. License No. _____ Classification _____
- ☐ The contracted service price is \$500.00 or less and the owner has provided written disclosure as per Business & Professions Code Section 7048.
- ☐ I, as the owner, or my employees with wages as their sole compensation will do the work.
- ☒ I, as the owner, am exclusively contracting with licensed contractors.
- ☐ I am licensed under provisions of Public Resources Code 4570 et seq. and my license is in full force and effect. License No. _____
- ☐ I, as the owner, am exclusively contracting with a licensed timber operator.

WORKER'S COMPENSATION INSURANCE: I declare under penalty of perjury (check one):

- ☒ I have placed on file with the Town of Paradise Community Development Department a certificate of worker's compensation or a certificate of consent to self insure.
- ☐ I shall not employ any person in any manner so as to become subject to the workers compensation laws of California.
- ☐ The contracted service price is \$500.00 valuation or less.

NOTICE TO APPLICANT: If after making this statement, should you become subject to the workers compensation provisions of the Labor Code, you must comply with such provisions or this permit shall be deemed revoked.

CERTIFICATION: I certify that I have read this application and state that the above information is correct. I agree to comply with all town ordinances and state laws relating to tree cutting, and hereby authorize representatives of the Town of Paradise to enter upon the above-mentioned property for inspection purposes. I also agree to save, indemnify and keep harmless the town and its agents against all liabilities, judgments, costs and expenses that may in any way accrue against said agency in consequence of the granting of this permit.

I understand that for each tree felled, one tree (fifteen gallon minimum size) shall be planted within twelve months thereafter or within one year of occupancy of new construction, whichever occurs first. Replacement trees must be of a species listed within PMC Section 8.12.120.

X _____ Date: 9/28/12
Signature of Applicant - Owner ☒ Contractor _____ Agent _____ LTO _____

PERMIT DECISION:

- ☐ Approved
- ☐ Denied Reason denied: _____

By _____ (Town Manager or Designee) Date: _____

It is recommended that you contact the California Department of Forestry, Redding Office, (530) 225-2418 for regulations that may apply to tree felling. This permit expires 90 days beyond date of issue.

**POST THIS PERMIT AT A POINT PROVIDING PRIMARY ACCESS TO THE SITE OF THE TREE
FELLING PRIOR TO FELLING ANY QUALIFYING TREES.**

NO QUALIFYING TREE SHALL BE FELLED WITHOUT POSSESSION OF AN APPROVED PERMIT.



September 28, 2012

Community Housing Improvement Program
Attn: Kris Zappettini
1001 Willow Street
Chico, CA 95928

RE: Preserved Trees Assessment for the CHIP Housing Project (NSE # 9447)

Dear Ms. Zappettini,

As requested, NorthStar Environmental (NorthStar) conducted a site visit to assess the two groupings of preserved trees on the CHIP Housing Project site in the Town of Paradise, CA. NorthStar's International Society of Arboriculture (ISA) certified arborist, Elena Gregg (WE-8033A), visited the construction site on the morning of September 27, 2012 to determine the health of the preserved trees.

The preserved trees assessed include three foothill pine (*Pinus sabiniana*) trees located adjacent to building 2.6 and four foothill pine trees located adjacent to building 4 (**Attachment A**). The diameter at breast height (DBH) of the trees were measured and were labeled, for reference purposes, with a number indicating the grouping (i.e. 1 and 2) and a letter designating the tree's location within the grouping (i.e. N for north, S for south, W for west, and C for center). The grouping of preserved trees adjacent to building 2.6 was designated group 1 and consisted of the following trees and sizes:

1S = 19 in DBH
1C = 23 in DBH
1N = 15 in DBH

The trees adjacent to building 4 were designated as group 2 and consisted of the following trees and sizes:

2S = 19 in DBH
2C = 13 in DBH
2N = 12 in DBH
2W = 12 in DBH

All of the preserved trees were visibly stressed, exhibiting needle die back. The trees in group 1, particularly tree 1C, and tree 2S had multiple broken limbs, which likely took place during the initial tree felling activities on the project site (see pictures 2 and 4 in **Attachment B**). Also, many of the trees have poor structures, with trees 1S and 1C exhibiting prominent leans toward the south, trees 1N, 2C, 2N, and 2W exhibiting minor leans toward the north and northwest, and trees 1C, 1N, and 2S exhibiting large branches off the main trunk that may contain weak crotches (**Attachment**

B). There was no evidence of pine bark beetle activity or mechanical injuries to the trunks of the trees.

Though the trees are stressed and many have leans or poor structures, the trees appear sound and can still be preserved with the incorporation of a few additional protection measures. However, there is a concern that the trees in grouping 1 may be a hazard to pedestrians and children using the proposed play area to be constructed immediately to the east of this tree grouping. Foothill pine trees produce very large and heavy cones that have spines, and cones dropping in the area may cause undue risk of injury to children playing in the vicinity. As such, it is my recommendation to remove these trees and replace them with a more appropriate tree species approved by the Town of Paradise.

As landscaping is proposed immediately surrounding tree group 2, there is less risk of hazards relating to falling cones. However, the foundation of building 4 is located immediately outside of the dripline of trees 2S, 2C, and 2N (see picture 5 in **Attachment B**), and with the need to still erect scaffolding outside the building foundation to continue the construction process; these trees will need to be removed. The scaffolding to be used is approximately 4 feet wide, and to install the scaffolding most of the branches of these three trees on the side facing the building will need to be cut. As these trees are already stressed, this extreme trimming that would be required would likely overstress the trees to the point where recovery would be unlikely. Though tree 2W is not as close to building 4 and trimming of this tree's limbs would not be necessary, the removal of the adjacent three trees may cause additional roots of tree 2W to be broken. Just as with the other three trees in group 2, the additional stress of losing more roots would likely overstress tree 2W and the likelihood of its survival after the construction process is completed would be small. Therefore, it is recommended to remove all of the trees in group 2 as well and replace them with new trees approved by the Town of Paradise.

If you have any questions, please contact me at 530-343-8327 or at egregg@northstareng.com.

Sincerely,

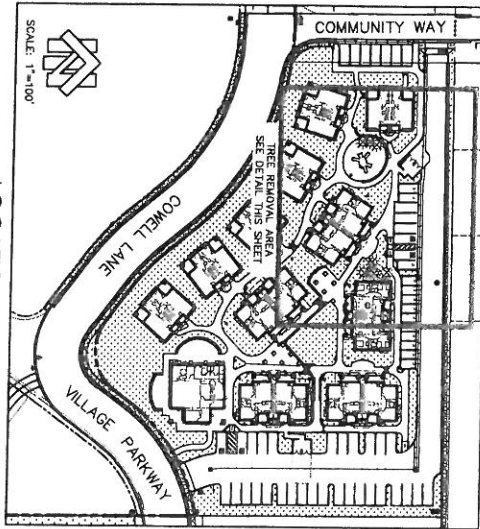


Elena Gregg
Botanist, Certified Arborist # WE-8033A

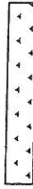
Encl.: **Attachments A-B**

Cc.: Nyles Armstrong, Construction Project Manager, Sunseri Construction

Attachment A
Tree Removal Plan



LEGEND



PROPOSED LANDSCAPE AREA

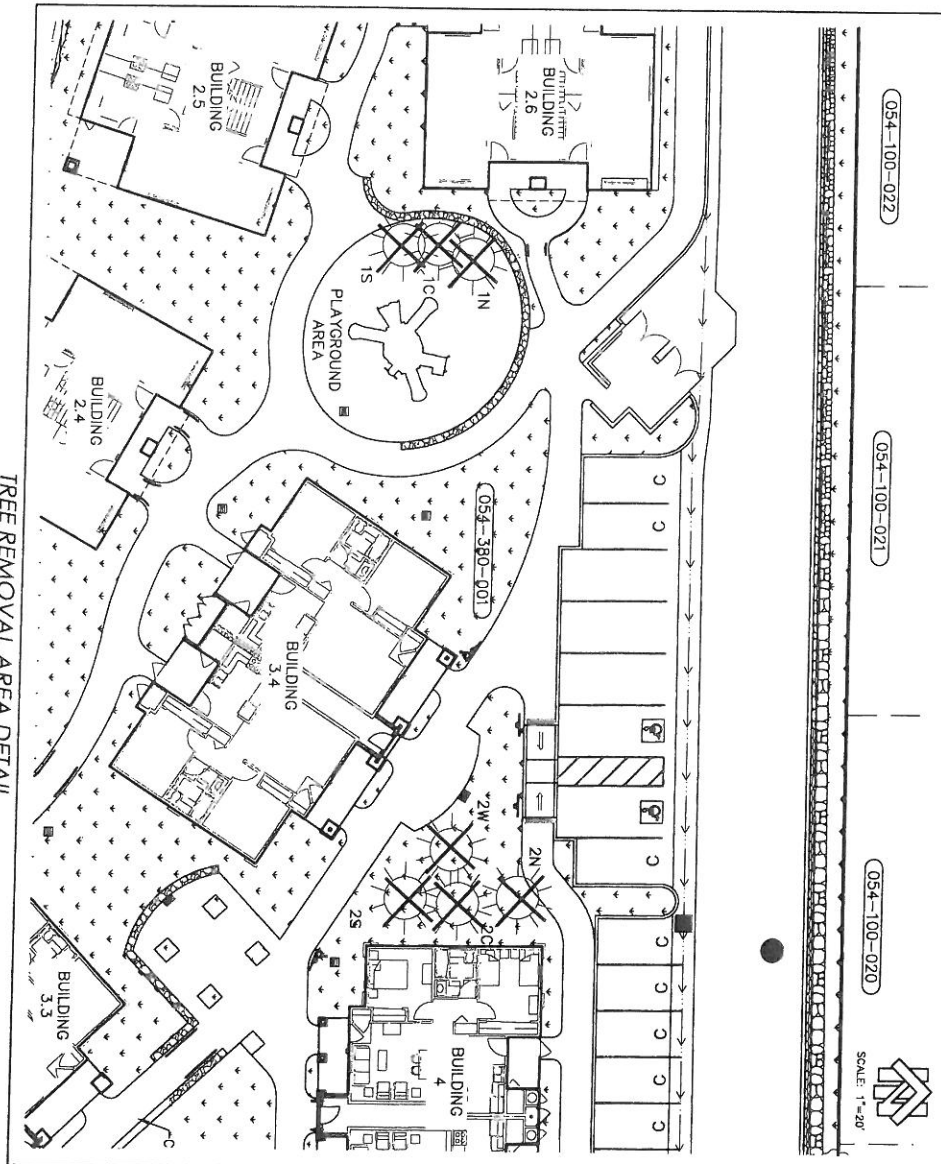


QUALIFYING TREE TO REMOVE

TREE LIST

QUALIFYING TREES TO BE REMOVED ON THE SITE = 7

GROUP 1:	1S	19" DBH	FOOTHILL PINE
	1C	23" DBH	FOOTHILL PINE
	1N	15" DBH	FOOTHILL PINE
GROUP 2:	2S	19" DBH	FOOTHILL PINE
	2C	13" DBH	FOOTHILL PINE
	2N	12" DBH	FOOTHILL PINE
	2W	12" DBH	FOOTHILL PINE



NorthStar
ENGINEERING
111 MISSION RANCH BLVD. STE. 100
CHICO, CALIFORNIA 95926
(530) 893-1600 FAX (530) 893-2113

JOB NO. 8447

TREE PERMIT PLAN
APN 054-380-001

ATTACHMENT
"A"

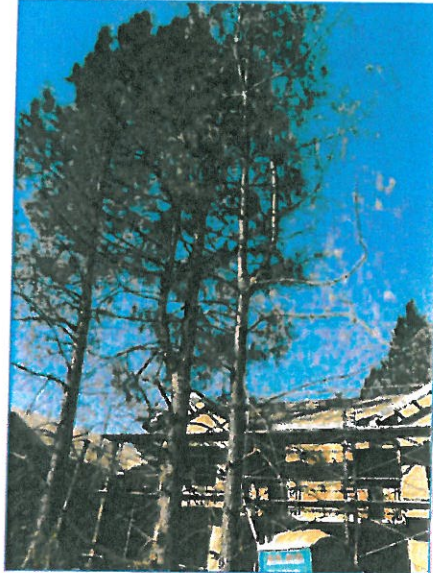
SHEET 1 OF 1

Attachment B
Pictures of the Preserved Trees

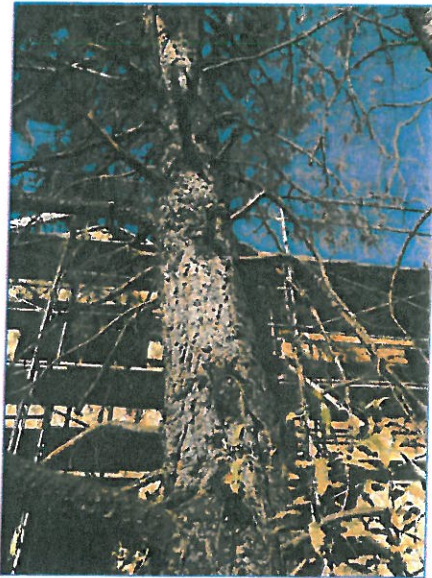
Pictures of the Preserved Trees Taken September 27, 2012



1) Tree group 1 looking north.



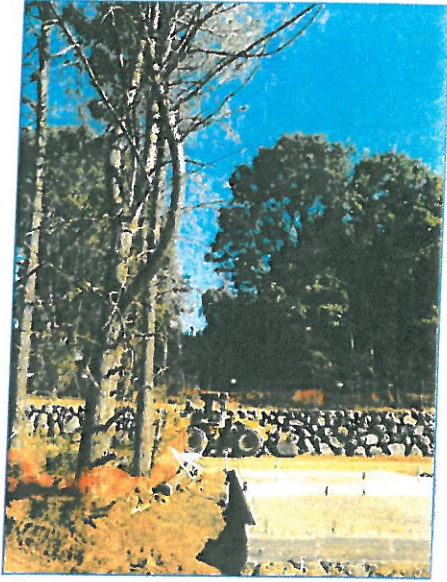
3) Tree group 1 looking west (note poor structure of trees 1C and 1N in picture right).



2) Broken limbs of tree 1C.



4) Tree group 2 looking west (note poor structure and broken limbs of tree 2S in picture left).



5) Tree group 2 looking north (note close proximity of the building footing).